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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

INTEL CORPORATION, APPLE INC.,

Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,
FORTRESS CREDIT CO. LLC, UNILOC 2017
LLC, UNILOC USA, INC., UNILOC
LUXEMBOURG S.A.R.L., VLSI
TECHNOLOGY LLC, INVT SPE LLC,
INVENTERGY GLOBAL, INC., DSS
TECHNOLOGY MANAGEMENT, INC., IXI
IP, LLC, and SEVEN NETWORKS, LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**PLAINTIFFS' L.R. 7-3 STATEMENT OF
RECENT DECISION IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' JOINT MOTION TO
DISMISS AND TO STRIKE
PLAINTIFFS' AMENDED COMPLAINT**

Hon. Edward M. Chen

Date: December 15, 2020
Time: 1:30 p.m.

Pursuant to Civil Local Rule 7-3(d)(2), and in connection with Plaintiffs' Opposition to Defendants' Joint Motion to Strike the Amended Complaint (Dkt. 208), Plaintiffs hereby inform the Court of supplemental authority providing further detail regarding the Uniloc Defendants' licensing revenue. *See Uniloc USA, Inc. v. Apple, Inc.*, No. C 18-00358 WHA, Dkt. 186 at 7 (N.D. Cal. Dec. 4, 2020) (attached as Exhibit 1). The relevant portions indicate that the Uniloc Defendants had approximately \$14 million in revenue from March 31, 2016 to March 31, 2017, a period during which Plaintiffs have alleged the existence of settlement agreements by the Uniloc Defendants of patents in Relevant Patents Markets, including for patents subsequently determined to be unpatentable. *See* Ex. 1 at 7 ("On March 31, 2017, the Unilocs had only gathered \$14 million in revenue over the previous year."); Am. Compl. ¶¶ 143-144 (identifying, regarding the '5890, '433, '723, and '622 patents, "*Uniloc USA, Inc. et al. v. TangoMe, Inc. d/b/a Tango*, No. 2:16-cv-00733 (E.D. Tex.), was dismissed pursuant to a settlement in January 2017; . . . *Uniloc USA, Inc. et al. v. Viber Media S.a.r.l.*, No. 2:16-cv-00643 (E.D. Tex.), was dismissed pursuant to a settlement in January 2017; and *Uniloc USA, Inc. et al. v. VoxerNet LLC*, No. 2:16-cv-00644 (E.D. Tex.), was dismissed pursuant to a settlement in December 2016"), ¶ 150 & n.61 (indicating that the PTAB ultimately declared all asserted claims of the '5890, '433, '723, and '622 patents to be unpatentable), ¶ 343 (identifying "*Uniloc USA, Inc. et al. v. Mojang AB*, No. 6:12-cv-00470 (E.D. Tex.) was dismissed pursuant to a settlement in August 2016; and *Uniloc USA, Inc. et al. v. Chief Architect, Inc.*, No. 6:14-cv-00421 (E.D. Tex.) was dismissed pursuant to a settlement in March 2017").

Dated: December 9, 2020

Respectfully submitted,

By: /s/ Mark D. Selwyn

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2020, I electronically filed the foregoing documents using the CM/ECF system which will send notification of such filing to the e-mail addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List.

DATED: December 9, 2020

/s/ Mark D. Selwyn
Mark D. Selwyn